IN THE UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

MICHAEL KULAKOWSKI,)
Plaintiff,) Case Number: 3:16-CV-02510
vs.) Ludge Wayarky D. Grenchery, Iv
WESTROCK SERVICES, INC.,	Judge Waverly D. Crenshaw, Jr. Magistrate Judge Alistair Newbern
Defendant.)
)

DECLARATION OF TRACIE DUNCAN

- 1. My name is Tracie Duncan. I am over 18 years of age and the information contained in this declaration is from my own personal knowledge.
- 2. I have worked for WestRock Services, Inc. ("WestRock") and its predecessors in the Gallatin, Tennessee facility for 17 years. I am not and have never been a member of management.
- 3. I assumed Helen Kendall ("Helen") was Human Resources at the Gallatin facility because she handed out and gathered insurance paperwork. I have not, however, ever seen any document that shows what her actual job title was and I do not know what her specific job duties were other than the fact she would hand out paperwork. I could be mistaken in my assumption that Helen was Human Resources. If Helen or a member of management indicated that Helen was not Human Resources, they would be in a better position to know her actual job title.
- 4. WestRock provides employees with an Employee Handbook. The Employee Handbook contains an anti-harassment policy, anti-violence policy and a Code of Conduct. Information about the Company's Compliance Hotline can be found in the Employee Handbook. The Compliance Hotline is also posted at the Gallatin facility. I do not know when the Compliance

Hotline was first posted. It may have been there for years; I just never had a reason to look for it because I never had anything to report. I took a closer look at the postings when Terri Henley from Human Resources was interviewing employees at the Gallatin facility and noticed that the Compliance Hotline was posted.

- If I had ever witnessed any harassment or violence at WestRock, I would have felt 5. comfortable using the Corporate Hotline to report it. I have not, however, witnessed anything I would consider harassment or violence.
- 6. I know Michael Kulakowski ("Michael") from work. I understand Michael is claiming I saw Tommy Whited ("Tommy"), the former General Manager, hit and kick him in the groin. I never saw Tommy do this. Tommy would play around with Michael and hit him in the arm on occasion. Michael never seemed upset by this. They seemed to play back and forth with each other. Tommy would do the same thing to me in a playful way.
- 7. Tommy could be intimidating at times when he was in a bad mood. I tried to avoid him at those times. I didn't see him act more intimidating toward men than women or vice versa. When he was in a bad mood, it was toward everyone. Tommy could get loud and sometimes cursed when he was in a bad mood.
- 8. No one has promised me anything or coerced me in any way to make this declaration. No one has put any pressure on me to say or not say anything whatsoever.
- 9. In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Signed this 19 day of January, 2018